

1  
2 MINUTES OF THE MERCER COUNTY AGRICULTURAL DEVELOPMENT BOARD  
3 MEETING HELD MONDAY AUGUST 6, 2007  
4 IN THE EXTENSION SERVICE BUILDING  
5 930 SPRUCE STREET, TRENTON, N.J.  
6 2ND FLOOR CONFERENCE ROOM  
7

8 I. CALL TO ORDER

9 Vice-Chairman Steve Jany called the meeting to order at 4:05 PM.  
10

11 II. COMPLIANCE STATEMENT

12 Pursuant to the Open Public Meetings Act, notice of this meeting was given to the Trenton Times,  
13 Trentonian, Mercer County Clerk, and posted in the Mercer County Administration Building.  
14

15 III. ROLL CALL

16 A. Voting Members:

17 Nancy Tindall, Chairwoman – Arrived at 4:15 PM

18 Steve Jany, Vice-Chairman - Present

19 Earl Tindall - Present

20 Peggy McNeill – Absent

21 Charles Appelget – Present

22 Charles Bryan – Absent

23 Scott Ellis - Present  
24

25 B. Non -Voting Members:

26 County Planning Board – Vacant

27 Rutgers Cooperative Research and Extension – Jhilson Ortiz  
28

29 C. Others Present:

30 Dan Pace, MCADB Secretary

31 Leslie Floyd, Assistant County Planning Director  
32  
33

34 IV. APPROVAL OF MINUTES

35 Mr. Jany asked for a motion to approve the May 7, 2007 minutes. Mr. Tindall moved the  
36 approval. Mr. Appelget seconded. The minutes were approved.  
37

38 V. PUBLIC COMMENT

39 None.  
40

41 VI. CORRESPONDENCE

42 None.  
43

44 VII. COMMITTEE AND STAFF REPORTS

45 A. SADC

46 1. Equine Rule Proposals – Public comment period. Staff reviewed the proposed equine  
47 rules. Board members expressed their desire to be on record with the following comments:  
48

- 49 • N.J.A.C. 2:76-2B.3 and 2:76-6.15. The Mercer CADB believes strongly that if the  
50 impervious coverage limitations of the rules are implemented, then a statewide  
51 education campaign must be conducted, for preserved farm owners and non-  
52 preserved commercial farm owners, as to the implications of the rules. For example:  
53 Equine owners and operators need to be aware that maximum impervious coverage  
54 requirements for Right-to-Farm protections may differ between adjacent counties.  
55 Another example would be that landowners interested in placing their equine

1 operations into preservation need to know that the applicable 15% maximum  
2 impervious coverage for equine infrastructure may differ from what their County  
3 allows for RTF protection eligibility.  
4

5 The SADC should take the lead in this education by utilizing its own newsletter, as  
6 well as publications and Internet resources of the Department of Agriculture and the  
7 Rutgers Cooperative Extension, to reach out to these landowners.  
8

- 9 • N.J.A.C. 2:76-6.15. The Mercer CADB would like to know how the deed of easement  
10 will be revised going forward after rule adoption; and, if existing deeds will need  
11 amending.  
12

13 2. Non-Ag Use Rule Proposal – Public comment period. Staff reviewed the proposed rule.  
14 Board members expressed their desire to be on record with the following comments:  
15

- 16 • The Mercer CADB finds that the law, by excluding all farms with Exception areas, fails  
17 to recognize that for many preserved farms with Exceptions, the language in the Deed of  
18 Easement is written too narrowly for an economically useful non-agricultural use to occur  
19 therein.  
20 • The Mercer CADB also believes that the law and the rule are written in such a way that  
21 the typical applicant for a permit (especially a non-wireless commercial use) would find  
22 the process too cumbersome and onerous to fulfill.  
23 • Finally, the Mercer CADB believes that as the SADC and Rutgers proceed with an agri-  
24 tourism AMP, that the AMP address constraints imposed by this proposed rule that might  
25 hinder agri-tourism activities.  
26

27 3. Planning Incentive Grant Plan – Board members reviewed proposed Project Areas and  
28 Target farms.  
29

30 4. Staff reviewed with the Board the comment letter sent to the SADC on July 24<sup>th</sup> on the pre-  
31 rule proposal septic off of Exception policy initiative.  
32

33 B. Land Development Activity: None  
34

35 C. Status of Farmland Preservation Applications

- 36 • 2001 Round: One farm left; Weidel/Burd. No change in status.  
37  
38 • 2002 Round – One farm left  
39 Zygmunt application still pending for issues involving the Turnpike and the historical  
40 significance of the house.  
41  
42 • 2007 Round – U-Pick State cost-share being finalized.  
43  
44 • 2008 Round – Washington Twp/Silver Decoy, Mercer County/Larry Tindall, and Mercer  
45 County/former UpdikeHerman farms have successfully been given final approval by the  
46 SADC.  
47

## 48 VIII. OLD BUSINESS

49 A. Farm Monitoring – TWIN farm

50 Staff reported on the deed violation found on this farm and efforts to correct it. Mr. Pace and  
51 Ms. Tindall visited the farm on August 3<sup>rd</sup>.  
52  
53  
54

1 B. New Jersey Turnpike Widening –  
2 Staff updated the Board on this matter. At this time, the SADC has determined that the  
3 information provided by the Turnpike regarding the impact of the widening on the three-  
4 County ADA is insufficient.  
5  
6

7 IX. NEW BUSINESS

8 A. U.S. Farm Bill support –

9 Staff reported that the Secretary of the NJDOA requested that CADB's support the Farm Bill. Mr.  
10 Pace distributed a copy of the SADC resolution of support. CADB members who also sit on the  
11 County Board of Agriculture felt that the Board of Ag was the appropriate organization to act on  
12 the request – and not the CADB. Mr. Pace commented that he had spoken to the Board President  
13 on this matter. The CADB took no action.  
14

15 C. Cherry Grove 8-Year Renewal –

16 Staff reported that this Hamill family farm in Lawrence (managed by Kelly Harding) is under the  
17 Municipal 8-Year Preservation Program and their agreement expires in October. Normally, this  
18 would be a simple matter of renewal; but, because of a change in the family's form of ownership  
19 of the farm, our staff attorney and the SADC's attorney have determined that the rules governing  
20 this form of preservation program explicitly require the termination and re-application of this  
21 farm. Mr. Pace has been in communication with the family and they do desire to reapply for the  
22 Municipal Program. The family will be submitting an application petition to the Board.  
23

24 X. OTHER BUSINESS

25 None  
26

27 XI. PUBLIC PARTICIPATION

28 None  
29

30 XIII. ADJOURNMENT AND NEXT MEETING

31 The meeting was adjourned at 7:00PM. The next meeting of the MCADB will be October 1, 2007  
32 at 7:30PM.  
33

34  
35 Respectfully submitted,  
36  
37

38  
39 Daniel Pace  
40 MCADB, Secretary  
41

42 Date adopted:  
43

44 Attachments and related correspondence, if any, are made a part of the permanent record and are filed  
45 with these minutes in the Agricultural Development Board Book located in the Mercer County Planning  
46 Division Office. All copies are available upon request.